

Service Appeal No. 1142/2019

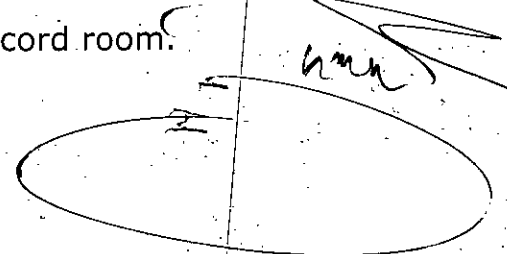
17.11.2020

Appellant in person alongwith Mr. Muhammad Arshed Khan Tanoli, Advocate is present. Mr. Usman Ghani, District Attorney and Mr. Shamraiz Khan, ASI (Legal), for the respondents are also present.

Appellant submitted application for withdrawal of the instant appeal for the reason that the impugned order dated 12.06.2019 by virtue of which appellant was removed from service has been withdrawn by the respondents and in this regard he submitted his reinstatement order passed by the Regional Police Officer, Hazara Region, Abbottabad, dated 08.11.2019 which is placed on file. The contents of the withdrawal application alongwith the reinstatement order referred to above were reiterated to him which after hearing the same were admitted as correct. The grievance of the appellant being redressed, the instant appeal stands dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED

17.11.2020



(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT ABBOTTABAD



OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

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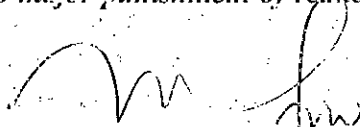
No. /PA, dated Abbottabad, the 08-11/2019.

ORDER

This order is hereby passed to dispose off departmental appeal under section 17 of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline Rules) 2011 submitted by Ex. Junior Clerk Qaiser Farooq of District Torghar against the order of punishment i.e. *Dismissal from service* awarded by District Police Officer, Torghar vide OB No. 198 dated 12.06.2019.

Facts leading to the punishment are that the official while posted as PA to District Police Officer, Abbottabad, being Junior Clerk, had made illegal interference in investigation of a high profile blind murder case of a female child namely Faryal d/o Haq Nawaz Khan registered vide case FIR No.1207 dated 26.12.2018 u/s 302/376 PPC PS Havelian, District Abbottabad. The official by taking advantage of trust made on him by his seniors used abusive language with the complainant party by defiling and torturing them during the course of investigation, for which he has been held responsible.

After receiving his appeal, comments of DPO Torghar were obtained and examined/perused. The undersigned called the official in OR and heard him in person. Undersigned take lenient view and order of dismissal awarded by DPO Torghar is hereby set aside and the official is *reinstated in service from date of dismissal while punishment of dismissal is converted into major punishment of reduction in pay for 03 years with immediate effect.*


Dr. Mazhar-ulhaq Kakakhel
(PSP/PPM/S.S.)
REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

No. 29278-81 /PA, dated Abbottabad the 08/11/2019.

CC.

1. The District Police Officer, Torghar for information and necessary action with reference to his office Memo No 1100/PA dated 04-10-2019.
2. The District Police Officer, Mansehra for information and necessary action. Service Roll and Enquiry File of the official is returned herewith for office record.
3. The District Police Officer, Abbottabad for information and necessary action.
4. Establishment Branch.

Due to covid ,19 case to come up for the same on / /
at camp court abbottabad.

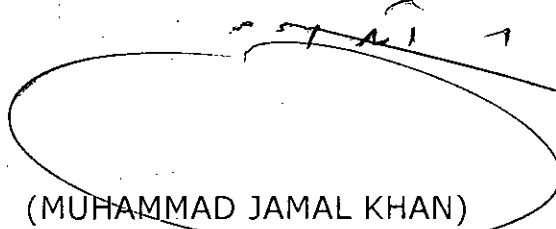
Reader

Due to summer vacation case to come up for the same on 11/5
9 / 20 at camp court abbottabad.


Reader

15.09.2020

Appellant Qaiser Farooq is present in person. Mr. Usman Ghani, District Attorney alongwith representative of the department Mr. Atif Ali, Litigation Officer for the respondents are also present. Written reply on behalf of respondents not submitted. Representative of the department is seeking time for submission of written reply/comments. Time is allowed. File to come up for written reply/comments on 17.11.2020 before S.B at Camp Court, Abbottabad.


(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT ABBOTTABAD

Service Appeal No. 1142/2019

16.12.2019

Counsel for the appellant and Mr. Shamraiz Khan, ASI alongwith Mr. Usman Ghani, District Attorney for the respondents present. Representative of the department submitted office order dated 08.11.2019 whereby the major penalty of dismissal from service awarded to the appellant was converted into major punishment of reduction in pay for three years with immediate effect. The same is placed on record. Copy of the same is also handed over to learned counsel for the appellant. To come up for written reply/comments on 22.01.2020 before S.B at Camp Court Abbottabad.



(Muhammad Amin Khan Kundi)
Member
Camp Court Abbottabad

22.01.2020

Clerk to counsel for the appellant present. Written reply not submitted. Shamrez ASI representative of respondent department present and seeks time to furnish reply. Granted. To come up for reply on 19.02.2020 before S.B at Camp Court Abbottabad.



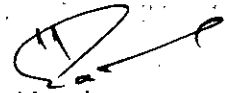
Member
Camp Court, A/Abad

25.10.2019

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (Ex-Junior Clerk Police Department Abbottabad) filed instant service appeal against the order dated 12.06.2019 whereby he was awarded major punishment of dismissal from service. Points urged need consideration. The appeal is admitted for regular hearing subject to all just ~~objections~~. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents. To come up for written reply/comments on 19.11.2019 before S.B at camp court, Abbottabad.

Appellant Deposited
Security & Process Fee



Member
Camp court, A/Abad

19.11.2019

Clerk to counsel for the present. Written reply not submitted. Shamrez ASI representative of respondent department present and seeks time to furnish written reply/comments. Granted. To come up for written reply/comments on 16.12.2019 before S.B at Camp Court, Abbottabad.



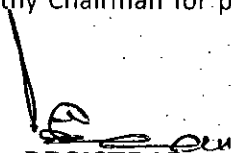

Member
Camp Court, A/Abad

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 1142/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/09/2019	<p>The appeal of Mr. Qaiser Farooq presented today by Mr. Muhammad Arshad Khan Tanoli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;">  REGISTRAR 13/9/19 </p> <p>2-</p> <p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>25-10-2019</u></p> <p style="text-align: right;">  CHAIRMAN </p>



OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

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Email: r.pohazara@gmail.com

No. ²⁹²⁷⁷ /PA, dated Abbottabad, the 08-11/2019.

ORDER

This order is hereby passed to dispose off departmental appeal under section 17 of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline Rules) 2011 submitted by Ex. Junior Clerk Qaiser Farooq of District Torghar against the order of punishment i.e. *Dismissal from service* awarded by District Police Officer, Torghar vide OB No. 198 dated 12.06.2019.

Facts leading to the punishment are that the official while posted as PA to District Police Officer, Abbottabad, being Junior Clerk, had made illegal interference in investigation of a high profile blind murder case of a female child namely Faryal d/o Haq Nawaz Khan registered vide case FIR No.1207 dated 26.12.2018 u/s 302/376 PPC PS Havelian, District Abbottabad. The official by taking advantage of trust made on him by his seniors used abusive language with the complainant party by defiling and torturing them during the course of investigation, for which he has been held responsible.

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Dr. Mazhar-ulhaq Kakakhel
(PSP/PPM/S.St)
REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

No. ²⁹²⁷⁸⁻⁸¹ /PA, dated Abbottabad the 08-11 /2019

CC.

1. The District Police Officer, Torghar for information and necessary action with reference to his office Memo No 1100/PA dated 04-10-2019.
2. The District Police Officer, Mausehra for information and necessary action. Service Roll and Enquiry File of the official is returned herewith for office record.
3. The District Police Officer, Abbottabad for information and necessary action.
4. Establishment Branch

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 1142/2019

Qaiser Farooq

...APPELLANT

V E R S U S

Inspector General of Police and others

...RESPONDENTS

SERVICE APPEAL

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...APPELLANT

Through:

Dated:- _____/2019


(**MUHAMMAD ARSHAD KHAN TANOLI**)
Advocate High Court, Abbottabad.

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 1142 /2019

Qaiser Farooq S/o Malik Muhammad Umar, R/o Village Thora Kalan Post Office
Sherwan District Abbottabad.

...APPELLANT

V E R S U S

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1245

Dated 13/9/2019

- 1) Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
- 2) Regional Police Officer, Hazara Range Abbottabad.
- 3) District Police Officer, Abbottabad.
- 4) District Police Officer, Torghar.

...RESPONDENTS

=====

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR ACT, 1974 FOR DECLARATION TO
THE EFFECT THAT DISMISSAL ORDER NO.198
DATED 12.06.2019 OF THE APPELLANT
DISCRIMINATORY WITHOUT AFFORDING THE
OPPORTUNITY OF PERSONAL HEARING AS
WELL AS CROSS EXAMINATION OF THE
COMPLAINANT. THE IMPUGNED DISMISSAL**

Filed to-day

Registrar

13/9/19.

ORDER DATED 12.06.2019 IS MALAFIDE AND THE SAID ORDER IS LIABLE TO BE SET-ASIDE.

PRAYER:-

ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, THE IMPUGNED DISMISSAL ORDER NO.198 DATED 12.06.2019 MAY GRACIOUSLY BE SET-ASIDE ALONGWITH BACK BENEFITS. AND ANY OTHER RELIEF WHICH THIS HON'BLE TRIBUNAL DEEM APPROPRIATE IN THE CIRCUMSTANCES MAY ALSO BE ALLOWED TO THE APPELLANT.

Respectfully Sheweth,

The facts forming the backgrounds of the instant service appeal are arrayed as under:-

1. That, the Appellant got appointment in the Respondents Department as Junior Clerk on 16.11.2007. The Appellant served the department with complete devotion and dedication to the entire satisfaction of his superiors.

2. That the Appellant was performing the duties of PA of respondent No.3. That one Shah Baz Khan filed a complaint against the Appellant among six others wherein, the said person levelled allegation of abusing and beating him vide complaint / application dated 20.03.2019. **(Copy of application dated 20.03.2019 is annexed as Annexure "A")**

3. That respondent No.1 directed respondent No.2 to conduct inquiry, against the official nominated by the Shah Baz complainant vide order dated 20.03.2019. **(Copy of letter of respondent No.1 to respondent No.2 is annexed as Annexure "B")**

4. That following this, respondent No.2 constituted an inquiry committee, comprising of District Police Officer Battagram as Chairman, SP investigation Mansehra and ASP Ghazi Haripur as members. **(Copy of the letter No.7439-40/EC dated 21.03.2019 is annexed as Annexure "C")**

That the said committee without any show cause notice, statement of allegation and other codal formalities, recommended major penalty of dismissal from service of the Appellant and exonerated other

Govt. officials. **(Copy of preliminary inquiry is attached as Annexure "D")**

5. That on receipt of inquiry report dated 30.04.2019, respondent No.2 directed respondent No.3 to conduct formal inquiry against the Appellant vide letter No.1578 dated 02.05.2019. **(Copy of letter dated 02.05.2019 is annexed as Annexure "E")**

It is further submitted that the appellant was posted at District Torghar on 20.03.2019. **(Copy of posting order dated 20.03.2019 is attached as Annexure "F")**

6. That the letter issued by respondent No.2 directed to Respondent No.3 that the inquiry of the Appellant shall be conducted by the respondent No.4. **(Copies of letter No.1653 dated 08.05.2019 & withdrawal of respondent No.3 letter dated 08.05.2019 are annexed as Annexure "G")**

7. That respondent No.4 issued charge sheet and statement of allegation on 08.05.2019. The appellant replied the charge sheet on 20.05.2019. **(Copies of**

charge sheet & reply of the same is annexed as Annexure "H")

8. That the appellant, without affording opportunity of personal hearing, final show cause notice and cross examination, has been dismissed from service vide impugned dismissal order dated 12.06.2019. **(Copy of impugned dismissal order dated 12.06.2019 is attached as Annexure "I")**

Hence the Appellant filed Department appeal dated 13.06.2019 against the impugned dismissal order dated 12.06.2019. **(Copy of Departmental appeal is annexed as Annexure "J")**

That during departmental appeal, respondent No.4 without re-instating the Appellant, issued letter to appear for personal hearing which was against the law and service rules on the subject. **(Copy of letter No.810/PA dated 10.07.2019 is annexed as Annexure "K")**

9. That the Appellant replied through legal notice through his counsel to respondent No.4 as he was acting prejudicial to the legal norms with malafide

intentions. (Copy of legal notice No.107/19 dated 15.07.19 is annexed as Annexure "L")

Hence, feeling aggrieved, the instant service appeal is filed inter-alia on the following grounds.

GROUND:-

- a. That the impugned dismissal order dated 12.06.2019 is illegal, against the law and without fulfilling the codal formalities which are sine-qua non for conducting inquiry. Hence, the dismissal order dated 12.06.2019 is against the law and is liable to be set-aside.
- b. That respondent No.4 is the Competent Authority and was also Chairman of the Inquiry Committee. Hence, the inquiry report as well as dismissal of the Appellant from service is illegal and not maintainable at law. Therefore the same are liable to be cancelled.
- c. That the Appellant has no nexus with the police investigation and dealing with the criminals / accused. The appellant is / was a Junior Clerk and was serving on the said period as PA to respondent No.3. It is further submitted that the uniform police officers / officials have been exonerated from the charges and the Appellant has been made a scape

goat without his fault. The Court should not fold up its hand while granting relief to the Appellant. The inquiry report as well as dismissal order of the Appellant is discriminatory and is a result of whims and wishes of respondent No.4 which is nullity in the eyes of law.

- d. That the Appellant receipt 1st Charge Sheet on 09.05.2019 whereas respondent No.4 once again issued 2nd Charge Sheet which is tempered, on the same date i.e. 08.05.2019. The Appellant received only 1st Charge Sheet and not 2nd. The whole inquiry proceedings are illegal and are liable to be struck down. **(Copies of the both the Charge sheets are attached as Annexure "M")**
- e. That the entire story, facts, figures and allegations against the Appellant are fabricated and concocted. Therefore no civil or criminal proceedings was initiated by the department against the appellant which shows that the dismissal order dated 12.06.2019 of the appellant on the so-called complainant of Shah Baz is based on the hypothesis, conjectures, surmises and supposition.
- f. That the instant appeal is well within time and the other points will be raised by seeking prior permission during the course of arguments.
- g. That, addresses of the parties have correctly in detailed mentioned in the heading of the appeal.

h. That, the instant appeal is well within time.

It is, therefore, humbly prayed that on acceptance of the instant Service Appeal, the impugned dismissal order No.198 dated 12.06.2019 may graciously be set-aside alongwith back benefits. And any other relief which this Hon'ble Tribunal deem appropriate in the circumstances may also be allowed to the appellant.



...APPELLANT

Through:

Dated:- 3/9 /2019


(MUHAMMAD ARSHAD KHAN TANOLI)
Advocate High Court, Abbottabad.

VERIFICATION:-

Verified that the contents of the instant Service Appeal are true and correct to the best of my knowledge and belief and that nothing material has been suppressed from this Honorable Court.

Dated:- 3/9 /2019



...APPELLANT

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR.

Appeal No. /2019

Qaiser Farooq

...APPELLANT

V E R S U S

Inspector General of Police and others

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, *Qaiser Farooq S/o Malik Muhammad Umar, R/o Village Thora Kalan Post Office Sherwan District Abbottabad, Appellant*, do hereby solemnly affirm and declare on Oath that the contents of instant *Appeal* are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

Dated:- 3/9 /2019

DEPONENT


...APPELLANT

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR.

Appeal No. _____ /2019

Qaiser Farooq

...APPELLANT

V E R S U S

Inspector General of Police and others

...RESPONDENTS

SERVICE APPEAL

CERTIFICATE

*Certified that no such like Appeal has earlier been filed
before this Hon'ble Court.*


...APPELLANT

Through:

Dated: 3/8 /2019


(MUHAMMAD ARSHAD KHAN TANOLI)
Advocate High Court, Abbottabad.

ہم اہلیان علاقہ ضلع ایبٹ آباد تحصیل حویلیاں گاؤں کیا لہ کے رہائشی ہیں۔ 25 دسمبر کو ہمارے علاقے میں ایک ننھی بچی 3 سالہ فریال حسب معمول گھر میں کھیلتے ہوئے باہر نکل گئی۔ جو کافی ٹائم گزرنے پر گھر واپس نہ آئی۔ جس کی تلاش گھر کے تمام افراد اہلیان علاقہ کرتے رہے نہ ملنے پر مساجد میں اعلان کروائے۔ جو آس پاس گاؤں کے لوگ بھی مدد کو پہنچ آئے۔ رات دیر تک تلاش کرتے رہے نہ ملنے پر پولیس تھانہ حویلیاں میں اطلاعی رپورٹ کروائی۔ اگلے دن فجر کی نماز پڑھ کر تمام دوبارہ تلاش کے لیے نکل گئے جو تقریباً 9، 10 بجے کے قریب ایک نالے سے پانی کی ڈنڈ میں مردہ حالت میں ملی۔ جس کی اطلاع پولیس کو دی اور بچی کو اٹھا کر گھر لے آئے۔ گھر پر موجود علاقے کی عورتوں نے بچی کے گیلے کپڑے تبدیل کر دیے۔ پولیس موقع پر پہنچ آئی بچی کو پوسٹ مارٹم کے لیے لے گئے۔ پوسٹ مارٹم رپورٹ نے تمام علاقے میں خوف و خراس پھیل گیا۔ کیونکہ ہمارے علاقے میں ایسا ظلم پہلے کبھی نہ ہوا پولیس نے جنازے میں آئے ہوئے لوگوں کو گرفتار کر کے سرکاری گاڑیوں میں ڈال دیا۔ جنازے کے فوراً بعد علاقے و خاندان کے مرد اور عورتوں کو بھی تھانے لے گئے۔ جنہیں 72 گھنٹے 3 دن تک تشدد نازیبا الفاظ اور گالی گلوچ کرتے رہے عورتوں اور بچوں کے ساتھ نازیبا الفاظ اور بہودہ قسم کے سوالات کرتے رہے بچے کے دادا کو بار بار کہتے تھے کہ بابا آپ نے یہ کام کیا ہے۔ آپ مانو لو تا کہ ہماری جان چھوٹ جائے پولیس نے چادر اور چادر یواری کا تقدس پامال کرتے ہوئے ہم پر ہمارے بچوں پر اور ہماری عورتوں پر تشدد گالی گلوچ نازیبا الفاظ اور بہودہ قسم کے الفاظ اور بچی کے دادا پر الزام لگایا۔ وزیر اعظم صاحب کہتے ہیں کہ KPK پولیس میں تبدیلی آگئی ہے اگر اس قسم کی تبدیلی آپ نے لائی ہے تو خدا راہ ہمیں ایسی تبدیلی نہیں چاہیے۔ ایسی تبدیلی جس سے کسی کی ماں بہن، بیٹی کی عزت معفوظ نہیں۔

KPK پولیس چارڈ اور چادر یواری اور کسی کی عزت کا خیال نہ رکھتے ہوئے گھروں میں داخل ہو کر عورتوں کو اٹھا کر تھانے لے جائیں۔ اور بہودہ قسم کے سوالات کرے یہ سب کچھ DPO عباس مجید مروت، DSP اعجاز، SHO عادی پرستان کی زیر نگرانی ہوتا رہا۔ SHO عادی پرستان کا نشیبیل ناصر اور کلرک قیصر SI طارق، ASI عادی بزرگون عورتوں اور بچوں پر تشدد گالی گلوچ اور بہودہ قسم کے الفاظ استعمال کرتے رہے۔ پولیس ملازمان بچی کے قتل کو بھول کر بزرگوں بچوں اور عورتوں سے طرح طرح کے سوالات کر کے انجوائے کرتے رہے جس کا نتیجہ آپ کے سامنے ہے اتنا کچھ کرنے کے باوجود بچی کا قاتل گرفتار نہیں ہوا اور نہ ہی کوئی سوراغ ملا۔

جناب عالی ہم اہلیان علاقہ حکام بالا سے اپیل کرتے ہیں کہ ہمیں انصاف فراہم کیا جائے ان ملازمان کے خلاف قانونی کارروائی کی جائے اگر ہمیں انصاف نہ ملایا ان پولیس ملازمان کے خلاف قانونی کارروائی نہ کی گئی تو ہمیں اہلیان علاقہ کو جس حد تک جہاں تک جانا پڑھا جائیں گے ہماری دادرسی نہ کی گئی تو تمام اہلیان علاقہ اپنے اوپر پیٹروں ڈال کر آگ لگا کر خودکشی کر لے گئیں۔ جس کی تمام ترقی داری حکام بالا اور ان پولیس ملازمان پر ہوگی

العارض

شہاز خان ولد کرم خان قوم پٹھان سکنہ کیا لہ NIC#13101-0859431-7 Ph#03212334105

خان افسرخان ولد کرم خان قوم پٹھان سکنہ کیا لہ

Alleged
Muhammad Arshad Khan Tanoli
Advocate High Court
Office No 33 Adjacent to

شیر افضل خان ولد کرم خان قوم پٹھان سکنہ کیالہ 03218574220

خواجه محمد ولد کرم خان قوم پٹھان سکنہ کیالہ

خان داد خان ولد ایوب خان قوم پٹھان سکنہ کیالہ 03449456913

شہیر خان ولد ایوب خان قوم پٹھان سکنہ کیالہ

کالا خان ولد ایوب خان قوم پٹھان سکنہ کیالہ

نثار خان ولد مہابت خان قوم پٹھان سکنہ کیالہ 03088107180

یوسف خان ولد ایوب خان قوم پٹھان سکنہ کیالہ

پرویز خان ولد گوہر رحمان خان قوم پٹھان سکنہ کیالہ

سلیم خان ولد قلند خان قوم پٹھان سکنہ کیالہ

جمیل خان ولد قلند خان قوم پٹھان سکنہ کیالہ

جلیل خان ولد قلند خان قوم پٹھان سکنہ کیالہ

✓ شوکت خان ولد خان افسر خان قوم پٹھان سکنہ کیالہ 03212657493

ریاست خان ولد خواجه محمد قوم پٹھان سکنہ کیالہ

وحید خان ولد خان افسر خان قوم پٹھان سکنہ کیالہ

کامران افضل ولد شیر افضل قوم پٹھان سکنہ کیالہ 03225450483

حق نواز ولد شہباز خان قوم پٹھان سکنہ کیالہ 03022821577

اختر نواز ولد شہباز خان قوم پٹھان سکنہ کیالہ 03012202685

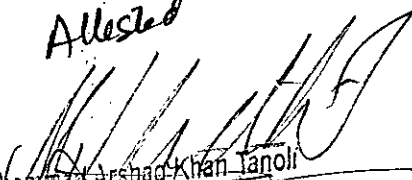
نسیم گل ولد صفدر خان قوم پٹھان سکنہ کیالہ

شاہد سلیم ولد سلیم خان قوم پٹھان سکنہ کیالہ

شہیر خان ولد اعجاز خان قوم پٹھان سکنہ کیالہ

زرق خان ولد پرویز خان قوم پٹھان سکنہ کیالہ

Attested


M. Arshad Khan Tanoli
Advocate High Court
Office No. 33 Adjacent to
District Court



Annex-B
OFFICE OF THE
INSPECTOR GENERAL OF POLICE,
CENTRAL POLICE OFFICE,
KHYBER PAKHTUNKHWA PESHAWAR

No. 227 /PPO , dated Peshawar the 20 /03 /2019

To: The Regional Police officer,
Hazara, Region Abbottabad

P-13


Subject: Application of Mr. Shehbaz Khan & Mr. Khan Afsar Khan regarding case FIR No. 1207 dt: 26.12.2018 u/s 302/376 PPC PS Havalian

Enclose please find herewith an application submitted by Mr. Shehbaz Khan & Khan Afsar Khan r/o Kiyala Abbottabad on the subject cited above.

The W/IGP has directed to initiate departmental enquiry against the defaulter police officers for mishandling the case.

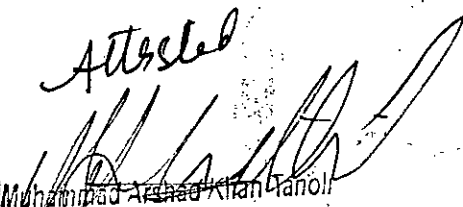
RPO to personally call constable Qadeer s/o Daud, listen to him and verify the facts as altercation took place between him and the DPO staff and false report was entered against him at PS Bagnoter to deny him of his promotion.

Encl: 10


(MUHAMMAD ALEEM JAN)
Principal Staff Officer
For Inspector General of Police,
Khyber Pakhtunkhwa,

Cc to the:-

The W/IGP Khyber Pakhtunkhwa for information.


Muhammad Arshad Khan Tanoli
Advocate High Court
Office No. 33 Adjacent to
Distt Bar Abbottabad

ORDER

Ahmex - C

With reference to the office of Inspector General of Police Khyber Pakhtunkhwa Peshawar letter No. 27/PPO dated Peshawar the 20.03.2019:

P-14

That case vide FIR No. 1207 dated 26.12.2018 U/S 302/376 PPC PS Havelian, was not handled properly and following police officials allegedly involved in mishandling of the case and the victim party. Following enquiry team headed by Mr. Abdul Rauf Baber, DPO Battagram to be assisted by Mr. Arif Javed, SP, Inv: Mansehra and Mr. Nasir Mehmood, ASP Ghazi Haripur is notified to conduct departmental proceedings against following police officials.

1. SI Hadi Paristan (Then SHO PS Havelian)
2. FC Nasir No. 1061 PS Havelian.
3. FC Qadeer No. 513 DSB Abbottabad.
4. JC Qasir Farooq District Abbottabad.

Muhammad Ali Babakhel 21/03/2019
(Muhammad Ali Babakhel) PSP - NDU
REGIONAL POLICE OFFICER,
Hazara Region Abbottabad

No. 7439-401 EC

Dated

21/03/2019

Copy of above is forwarded for information to :-

1. Worthy Inspector General Of Police Khyber Pakhtunkhwa Peshawar.
2. District Police Officer, Abbottabad.

Muhammad Ali Babakhel
(Muhammad Ali Babakhel) PSP - NDU
REGIONAL POLICE OFFICER,
Hazara Region Abbottabad

Saput, Arif SP

in info

Attached

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No. 33 Adjacent to
Distt. Bar Abbottabad

①

P-15
Annex-D

ENQUIRY REPORT IN CASE FIR NO.1207 DATED 26.12.2018 U/S 302/376
PPC POLICE STATION HAVELIAN DISTRICT ABBOTTBAD.

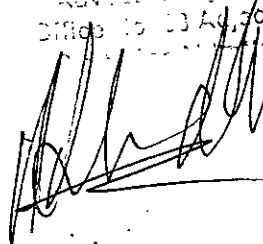
1. BRIEF FACTS OF THE CASE

Reportedly on 25th December 2018 at about 14:00 hrs a 03 years old girl, namely Faryal Bibi daughter of Haq Nawaz Khan r/o Rajoia was found missing from her home in the remote village Kiala (Rajoia), approximately 17/18 KM far away from the Havelian City. The matter was reported to the PS Havelian. Local police started search of missing minor girl and found her dead body on the very next day from a ravine with difficult approach. Her autopsy was conducted at RHC Havelian, where Doctor in her report confirmed that the victim was raped and later on murdered.

On the report of Mr. Shabaz Khan the grandfather of minor deceased girl a case vide FIR No. 1207, dated: 26.12.2018 U/S 302/376 PPC Police Station Havelian was registered and handed-over to Investigation Wing. During the course of investigation the I/O of the Case SI Muhammad Farooq OII PS Havelian prepared site plan and also recorded the statements U/S 161 Cr.PC. A special Investigation Team comprising of the following officers was constituted headed by Additional Superintendent of police, Abbottabad under the direct supervision of Superintendent of Police Investigation, Abbottabad on very next day vide SP Investigation Abbottabad office Order No. 7647-52/Inv, dated: 27.12.2018.

1. Mr. Ijaz Khan the SDPO Havelian.
2. Inspector Abudl Ghafoor Investigation Abbottabad.
3. SI Hadi Paristan SHO PS Havelian.
4. SI Muhammad Farooq OII PS Havelian.
5. SI Inam ul Haq OII PS Nara.
6. ASI Khan Afsar PS Havelian.
7. ASI Abdul Waheed PS Cantt
8. ASI Saif-ur-Rehman I/C PP Rajoia.
9. ASI Tanveer I/C PP POF Havelian.
10. HC Muhammad Afsar I/C DSB Abbottabad.

Muhammad Arshad Khan Tanoli
Advocate High Court
Bridges Road Abbottabad
District Abbottabad




Similarly, on 22.01.2019 the superintendent of police investigation Abbottabad vide his office Endst: No. 444/Inv, dated: 22.01.2019 the following 02-officers were also included in the above investigation team.

1. SI Nadir Khan Investigation HQrs: Abbottabad.
2. Si Wajid Hussain Investigation HQrs, Abbottabad.

The Special Team adopted the following measures during investigation.

1. Interrogation of suspects at PP Rajoia.
2. Collection of blood samples for DNA matching.
3. Geo Fencing, CDR Analysis.
4. Poly Graphic Test.
5. Search and Strike Operation in the area.


District Police Officer
Abbottabad

Later-on, the complainant party approached the Inspector General of Police KPK Peshawar and requested for impartial enquiry to seek justice. On their application, Worthy Provincial Police Officer, KPK Peshawar ordered to constitute an enquiry team for impartial enquiry to dig-out the real facts. In compliance to the order of worthy PPO KPK Peshawar, the Regional Police Officer Hazara Region Abbottabad vide his office order Endst: No.7439-410 dated 21.03.2019, an enquiry team comprising the following officers was constituted headed by Mr. Abdul Rauf Babar, District Police Officer Battagram assisted by Mr. Arif Javed SP Investigation Mansehra and Mr. Nasir Mehmood ASP Ghazi Haripur to conduct departmental proceedings against the following police officials.

1. SI Hadi Paristan (the then SHO PS Havelian).
2. FC Nasir No. 1061 PS Havelian.
3. FC Qadeer No. 513 DSB Havelian.
4. JC Qaiser Farooq District Abbottabad.

2. ENQUIRY PROCEEDING.

On 29.03.2019, the first meeting was held in Police Rest House Abbottabad. During the course of enquiry all the complainants were called, heard in persons and their written statements were also recorded (copies enclosed as Annexure-A). In their statements the complainant party stated that the aforementioned police officials misbehaved with them as well with their children and women. The police officials called them several times in the Police Post Ragoia and Police Station Havelian where they brutally beaten and tortured to disclose the matter. Similarly the complainant party further stated in their statements that the police has several times called their women for interrogation. During interrogation they mis-behaved with them and also used abusive language. It is worth mentioning here that the grandfather of victim was also called in PP Rajoia several times for interrogation and was pressurized to accept the responsibility of rape and murder incident. Moreover, the SIT members were also summoned and their statements were also recorded which are enclosed as Annexure-B.

The alleged Police Officials were also called and heard in persons, their statements have been recorded and attached as Annexure-C with the report. From the statements of complainants, following summary of allegation is devised: -

SUMMARY OF ALLEGATION.

1. Torture and violence on complainant parties.
2. Use of abusive language with the complainant.
3. Pressurizing the complainant to accept the rape and murder.
4. Un-authorized police officials were deputed for interrogation.
5. Spoiling the case with faulty investigation.

(i) SI Hadi Paristan (the then SHO PS Havelian).

Allegation

The complainant party blamed him for torture and mishandling the investigation.

High Court
Adjacent to
Abbottabad

District Police Officer
Battagram

3 P-17

Proceedings: -

SI Hadi Paristan the then SHO PS Havelian presently serving in District Torghar was summoned at Police rest house Abbottabad before the enquiry committee, heard in person and recorded his statement which is enclosed. His statement was analyzed thoroughly by the enquiry committee and the following findings / recommendations have been made: -

Findings: -

During the proceeding it was observed that the then SHO PS Havelian have fulfilled all the codal formalities and have left no lacunas on his part. Allegation of torture and mishandling the case could not be proved against him.

Recommendations: -

SI Hadi Paristan (the then SHO PS Havelian) is not found guilty and is exonerated.

(ii) **Junior Clerk Qaiser Farooq (the then PA to DPO Abbottabad).**

Allegations: -

1. Un-authorized role in the investigation process.
2. Interference during the investigation.
3. Torture and violence on complainant parties.
4. Use abusive language with the complainant.
5. Misuse of official authority.

Proceedings:

Junior Clerk Qaiser Farooq the then PA to DPO Abbottabad presently serving in District Torghar was summoned at Police rest house Abbottabad before the inquiry committee, heard in person and recorded his statement which is enclosed. His statement was analyzed thoroughly by the enquiry committee and the following findings / recommendations have been made

Findings: -

The Delinquent Junior Clerk Qaiser Farooq could not prove himself innocent from the allegations leveled against him through his written/verbal statement. He performed unauthorized role in the investigation process which is against the rules as he was posted PA to DPO and as per rules he had nothing to do with investigation. Therefore, the allegation mentioned by the complainant against him are found correct. He was also found guilty of using abusive language and torturing the complainants.

Recommendations: -

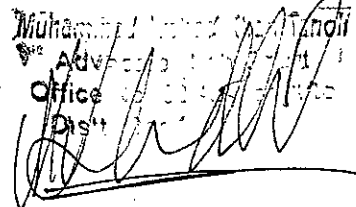
The Junior Clerk Qaiser Farooq has been found guilty and is recommended for Major Punishment.

(iii) **FC Nasir No. 1061 PS Havelian.**

Allegations: -

1. Un-authorized role in the investigation process.
2. Interference during the investigation.
3. Torture and violence on complainant party.
4. Use abusive language with the complainant.

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P-18

Proceedings:

Constable Nasir No. 1061 PS Havelian presently serving in District Torghar was summoned at Police rest house Abbottabad before the inquiry committee, heard in person and recorded his statement which is enclosed. His statement was analyzed thoroughly by the enquiry committee and the following findings / recommendations have been made

Findings: -

Constable Nasir No. 1061 PS Havelian could not prove himself innocent from the allegations made against him through his written/verbal statement. He was found guilty of using torture / abusive language against the complainants. Therefore, the allegation mentioned by the complainant against him are found correct.

Recommendations: -

Keeping in view of above, Constable Nasir No. 1061 have been found guilty and recommended for Major Punishment.

(iv) FC Qadeer No. 513 District Security Branch Abbottabad.

Allegation

The complainant party put blame upon him for torture and mishandling.

Proceedings:

FC Qadeer No. 513 presently serving in District Abbottabad was summoned at Police rest house Abbottabad before the enquiry committee, heard in person and recorded his statement which is enclosed. His statement was analyzed thoroughly by the enquiry committee and the following findings / recommendations have been made: -

Findings: -

During the course of enquiry it appeared that there was no specific complaint against FC Qadeer No. 513 by the complainant party and no active role was played by him during the whole investigation process.

Recommendations: -

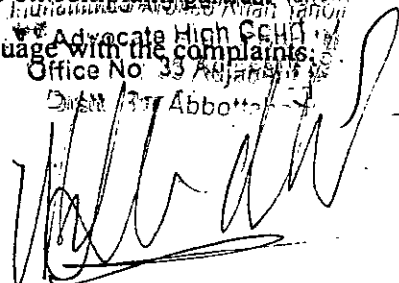
Constable Qadeer No. 513 is not found guilty and is exonerated.

(v) ASI Hadi of PP Sikandarabad.

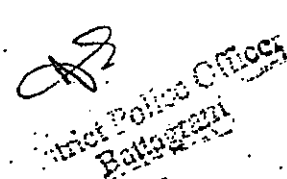
Although the name of ASI Hadi of PP Sikandarabad was not mentioned in the Order of the Worthy Regional Police Officer, Hazara Region Abbottabad office Endst: No. 7439-401, dated: 21.03.2019 for the enquiry in case FIR No. 1207, dated: 26.12.2018 U/S 302/376PPC PS Havelian. However, during the enquiry proceedings as well as in the application submitted to the Worthy Inspector General of Police Khyber Pakhtunkhwa the complainant party has raised the following allegations upon him. :-

1. Un-authorized role in the investigation process.
2. Make the investigation faulty.
3. Torture and violence on complainant parties.
4. Use of abusive language with the complainants.

Advocate High Court
Office No. 33
District Abbottabad



District Police Officer
Abbottabad



ading -

During the course of enquiry the delinquent ASI was summoned, heard in person and his statements was also recorded. During his statement, he could not prove him innocence from the charges leveled against him. As he was posted in PP Sikandarabad and performed unauthorized role the investigation process

Recommendations: -

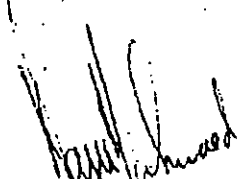
Keeping in view of above, the delinquent ASI Hadi was found guilty of torture and using abusive language to the complainant party, hence he is recommended for Major Punishment.

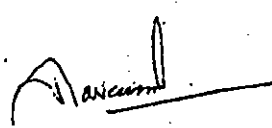
GENERAL OBSERVATIONS.

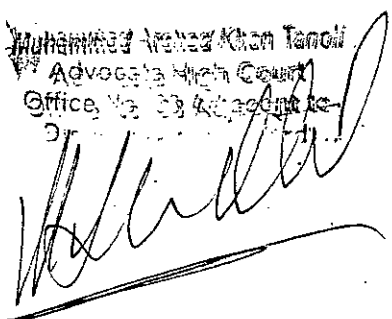
In general observations following lacuna/deficiencies were made during the investigation.

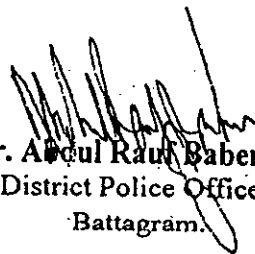
1. Females of complainant party were called in the PP Rajoia and Police Station Havelian for investigation interrogation without any documentation in Daily diaries.
2. Complainant party was not taken into confidence during whole process.
3. The profiling of DNA was carried out in unprofessional way that's why despite collection of such huge number of DNA samples, original culprits missed. (Documentation regarding profiling of DNA is enclosed as Annexure-D)
4. Blood samples were collected and sent to PFSA Lahore in different phases instead of a whole. As per statements of complainants, DNA was collected by making announcement in mosques that's the reason, real culprit escaped the DNA sampling and whole exercise went futile.

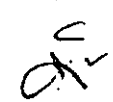
Report Submitted for kind consideration, Please.


 (Mr. Nasir Mehmood)
 ASP Ghazi Haripur
 Assistant Sub-Inspector of Police


 (Mr. Arif Javed)
 SP Investigation Manshera

Muhammed Wasim Khan Tanoli
 Advocate High Court
 Office No. 33, Khasmatta



 (Mr. Abdul Raut Baber)PSP
 District Police Officer,
 Battagram.


 District Police Officer
 Battagram

Annex E

P-20

Phone No.0992-9310021
Fax No 0992-9310023

From: The Regional Police Officer,
Hazara Region, (Abbottabad).

To: The District Police Officer, ✓
Abbottabad.

No. 1578 / B dated Abbottabad, the 02/5 /2019.

Subject: APPLICATION OF MR. SHEHBAZ KHAN & MR. KHAN AFSAR
KHAN REGARDING CASE FIR NO. 1207 DATED 26.12.2018 US
302 /376 PPC PS HAVELIAN

Atent.

Please refer to CPO Peshawar letter No: 227/PPC. dated 20.03.2019.

The cited subject petitioners submitted an application to the Worthy Inspector General of Police, Khyber Pakhtunkhwa on which the undersigned was directed to initiate departmental proceedings against the defaulter police officers for mishandling the case vide case FIR No. 1207 dated 26.12.2018 us 302 /376 PPC PS Havelian.

In this context a Enquiry Team was constituted to unearth the real facts consisting of the following Police Officers:-

- | | |
|-------------------------------|-----------------------------|
| 1. Mr. Abdur Rauf Babar (PSP) | DPO Battagram. |
| 2. Mr. Arif Javed | SP Investigation, Manshira. |
| 3. Mr. Nasir Mchmood | ASP Ghazi Haripur |

After initiating the preliminary enquiry the above mentioned Enquiry Team held following officials responsible and also suggested major punishment as they have been found guilty of misconduct in the cited subject criminal case (photo copy of preliminary enquiry finding is enclosed herewith).

1. ASI Hadi
2. Constable Nasir No: 1061
3. Junior Clerk Qaiser Farooq (the then PA to DPO Abbottabad)

It is therefore, directed that a proper departmental proceedings be initiated against the above mentioned police officials in the light of Enquiry Team and submit report to this effect within the stipulated period for onward submission to the Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

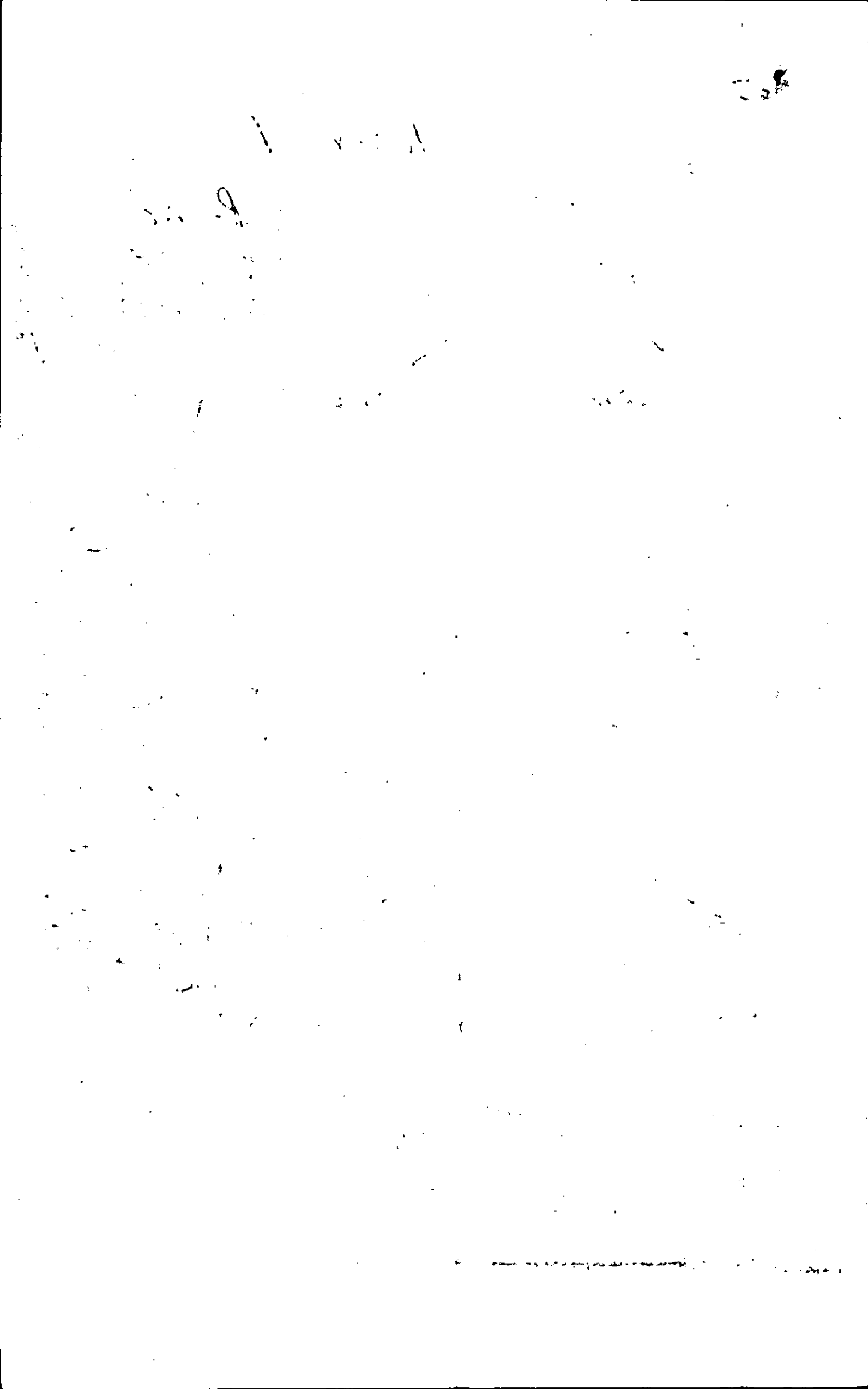
[Signature]
REGIONAL POLICE OFFICER, ✓
Hazara Region Abbottabad, ✓

No: 1579

PA
Copy of above is submitted to the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar for favor of information w/r to his above quoted letter, please.

Alleged
[Signature]
Office No. 33 Adjacent to
High Court

[Signature]
REGIONAL POLICE OFFICER
Hazara Region Abbottabad



Annex F

P-21

ORDER

... District Attorney ... District ...

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... Abbot ...

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Annex - G

From: The Regional Police Officer,
Hazara Region, Abbottabad.

P-22

To: The District Police Officer,
Abbottabad.


No: 1653 17^A dated Abbottabad the, 08/5 2019

Subject: ADDENDUM CORRIGENDUM ISSUED IN CONTINUATION TO THIS OFFICE LETTER NO:1578/PA, DATED 02.05.2019 REGARDING ISSUING CHARGE SHEET /STATEMENT OF ALLEGATION TO THE DELINQUENT POLICE OFFICIALS INVOLVED IN CASE FIR NO.1207 DATED 26.12.2018 U/S 302/376 PPC PS HAVELIAN ABBOTTABAD

It is directed that the Charge Sheet and Statement of allegation served upon Junior Clerk Qaiser Farooq & Constable Nasir No: 1061 by your office may be withdrawn as they are posted in District Torghar.

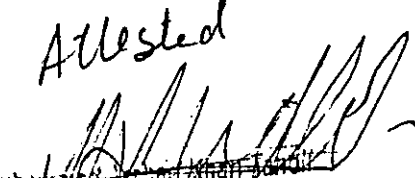
Only departmental proceeding may be initiated against ASI Hadi posted in Abbottabad District at your end.

No: 1654 1 PA


REGIONAL POLICE OFFICER
Hazara Region Abbottabad

7/5/2019

Copy to the DPO Torghar with the direction to proceed departmental enquiry against Junior Clerk Qaiser Farooq & Constable Nasir No: 1061 posted in your district by issuing proper charge sheet with statement of allegation and out come of the enquiry be reported at the earliest for onward submission to CPO, Peshawar. A photo copy of preliminary enquiry conducted by DPO Battagram is enclosed herewith.

Attested

Advocate High Court III
Office No 33 Adjacent to


REGIONAL POLICE OFFICER
Hazara Region Abbottabad

Annex - H

P-23

1. I, Mr, Hafiz Janis Khan, District Police Officer, Torghar as competent authority is hereby charge you Qaiser Farooq, the then PA to DPO, Abbottabad, presently serving in District Torghar in the office of the undersigned as Junior Clerk for the allegations explained in the attached statement of allegations.
2. You appear to be guilty of misconduct under Khyber Pakhtunkhwa Police Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in Khyber Pakhtunkhwa Police Rules 1975 (with amendment-2014).
3. You are therefore directed to submit your written reply within Seven days on receipt of the charge sheet to the enquiry committee.
4. Your written defense, if any, should reach the enquiry committee within the specified period, failing which it shall be presumed that you have no defense to put forward and ex-parte action shall be taken against you.
5. Intimate whether you desire to be heard in person or otherwise.
6. Summary of allegation is also enclosed.

Attested
 Muhammad Ashraf Khan Tanoli
 Advocate High Court
 Office No 33 Adjacent to
 Dist Bar Abbottabad

[Signature]
 District Police Officer,
 Torghar

میں نے یہاں ایک سٹیٹ منٹ
 Statement of allegation
 کے ساتھ لکھی ہے

قائمہ کلرک آفس ڈسٹرکٹ
 08/05/19

08/05/19
 05 PM
 District Police Officer
 Torghar

P-24

DISCIPLINARY ACTION

I, Mr. Hafiz Janis Khan, District Police Officer, Torghar as competent authority of the opinion that you Qaiser Farooq the then PA to District Police Officer, Abbottabad presently serving in District Torghar in the office of the undersigned as Junior Clerk has rendered yourself liable to be proceeded against departmentally as you committed the following act of commission within the meaning of the Khyber Pakhtunkhwa Police Rules, 1975 (with amendment-2014).

STATEMENT OF ALLEGATION

Perusal of preliminary enquiry, conducted by an enquiry committee headed by District Police Officer, Battagram, on application of Mr. Shahbaz Khan and Mr. Khan Afsar Khan, residents of village Kiala, Havelian, received vide letter No. 1653/PA dated 08.05.2019 of the Worthy Regional Police Officer, Hazara Region, Abbottabad, revealed that you while posted as PA to District Police Officer Abbottabad, being Junior Clerk has made illegal interference in a high profile blind murder case of a female child namely Faryal d/o Haq Nawaz Khan in investigation vide case FIR No. 1207 dated 26.12.2018 u/s 302/376 PPC PS Havelian, District Abbottabad by taking advantage of trust made on you by your seniors, used foul language with the complainant party by defiling and torturing them during the course of investigation for which you have been held responsible for the allegations noted above by the above mentioned enquiry committee, which shows gross misconduct on your part.

For the purpose of scrutinizing the conduct with reference to the above allegations an enquiry committee comprising of the undersigned and Mr. Gul Zar Khan DSP/Hq is constituted to probe into the allegations and submit enquiry report within stipulated period.

The enquiry committee shall in accordance with the provisions of Khyber Pakhtunkhwa Police Rules - 1975 provide reasonable opportunity of hearing to the defaulter official, record finding within 25 days of the receipt of this order, and make recommendations as to award punishment or otherwise to the defaulter official.

You Qaiser Farooq, the then PA to DPO, Abbottabad, presently serving in District Torghar in the office of the undersigned as Junior Clerk is required to submit your written statement within 07 days to the enquiry committee on receipt of the charge sheet/statement of allegations. The defaulter official shall make his appearance during proceedings on the date, time and place fixed by the enquiry Committee.

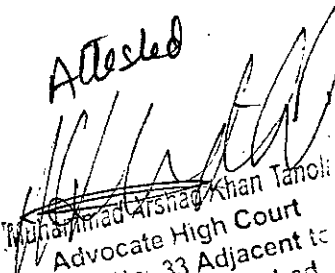
No. 548 /PA dated Torghar the 08 /05/2019

Janis
District Police Officer
Torghar

Muhammad Arshad Khan Janol
Muhammad Arshad Khan Janol
Advocate High Court
Office No. 33 Adjacent to
Dist. Tor Abbottabad

بیان JC قیصر فاروق متعینہ ضلعی پولیس سربراہ دفتر ضلع تورغر

جواب چارج شیٹ نمبر 548 تاریخ 08/05/2019، مجاریہ جناب ڈسٹرکٹ پولیس آفیسر ضلع تورغر میں حلفاً بیانی ہوں کہ مورخہ 26-12-2018 بحوالہ مقدمہ علت 1207 مورخہ 26/12/018 جرم PPC, 302/376 تھانہ حویلیاں میں بجکم افسران بالا ہمراہ ذیل دیگر شاف اور میڈیکل شاف جو نمونہ جات خون حاصل کرتے تھے ہمیں کیا لگاؤں میں واقع کیمپ میں برائے کمپیوٹرائزڈ کرنے فہرست بھجواتے تھے افسران بالا نے ذیل شاف کو یہ ذمہ داری زبانی طور پر سونپی تھی۔

Attested

 Advocate Ahmad Farisqat Khan Tanoli
 Advocate High Court
 Office No. 33 Adjacent to
 Distt Bar Abbottabad

- ۱۔ ASI منیر احمد ریڈر جناب DPO صاحب ایبٹ آباد۔
- ۲۔ HC مقصود الرحمن DPO/APA صاحب ایبٹ آباد۔
- ۳۔ گل زیب خان جدون کمپیوٹر اپریٹر DPO دفتر ایبٹ آباد۔
- ۴۔ مہران خان GIS دفتر DPO ایبٹ آباد۔

مندرجہ بالا شاف افسران بالا کے زبانی حکم پر صرف DNA کے نمونہ جات کی فہرستیں کمپیوٹر میں تیار کرتے رہے جو ہمراہ لف ہیں اور پرو فارمہ کے مطابق ہم چھان بین کر کے فہرستیں تیار کرتے رہے۔ اس دوران نہ تو میں نے کسی کو گالی گلوچ کی اور نہ ہی تشدد کیا ہے یہ الزام سراسر غلط ہے کیوں کہ میرا تفتیش سے کوئی تعلق نہیں ہے ہماری ڈیوٹی صرف اور صرف DNA کی نمونہ جات کی فہرستیں تیار کرنا تھا۔

جو کہ فریال خاندان نے میرے خلاف یہ الزام صرف اور صرف ایک اس وجہ سے لگائے گئے ہیں محکمہ پولیس میں ملازم کنسٹیبل عبدالقادر خان نمبر 1446 جو کہ تھانہ بکنوٹر میں تعیناتی کے دوران منشیات فروش اور دیگر غیر اخلاقی سرگرمیوں میں ملوث تھا جس کے خلاف SHO بکنوٹر نے شکایت کی تھی جس پر جناب DPO صاحب نے اس کو شوکا ز نوٹس اور بعد میں چارج شیٹ جاری کی اور باقاعدہ انکوائری شروع ہوئی انکوائری افسر نے سخت سے سخت محکمہ کاروائی (میجر پنشنٹ) کی سفارش کی جس پر DPO صاحب نے انکوائری افسر کی انکوائری کی روشنی میں کم سزا دی تمام محکمانہ انکوائری دفتر آفس سپرنٹینڈنٹ کے سپرد ہیں مذکورہ بالا کنسٹیبل نے مجھے خود اور اسی دفتر میں تعینات آفس شاف کے ایک اہلکار نے کہا کہ شوکا ز اور انکوائری کو غائب کرو جس کی ہم آپ کو بھاری رقم دیں گے میں نے کہا کہ میں ایسا کام ہرگز نہیں کر سکتا میرے انکار کی وجہ سے مذکورہ میرے مخالف ہو گیا اور میرے خلاف جھوٹے الزام لگانا شروع کر دیے مذکورہ محکمہ میں سابقہ ریکارڈ بھی انتہائی خراب ہے۔

فریال بی بی مذکورہ کنسٹیبل کی ماموں کی بیٹی ہے مذکورہ کنسٹیبل عبدالقادر فریال بی بی کے قتل کی آڑ میں سینئر افسر ان بالا کو درخواست بازی اور غلط بیانی کی ہے تاکہ مجھ سے انتقامی کاروائی کر سکے درخواست میں اگر فریال بی بی کے قتل کی تفتیش اور اس کے رشتہ داران پر تشدد کا الزام ہے تو مذکورہ کنسٹیبل درخواست میں اپنی انکوائری اور دیگر محکمانہ

کاروائی کا ذکر نہ کرتا جس سے صاف ظاہر ہوتا ہے کہ یہ درخواست محکمانہ رنجش کی وجہ سے دی گئی اور میرے خلاف الزام لگائے گئے ہیں کیوں انکواری کا فیصلہ مورخہ 2019-03-14 کو ہوا اور اس کے بعد مورخہ 20-03-2019 کو جناب IGP صاحب کو درخواست دی گئی جس میں میرے خلاف تشدد کے الزام لگائے گئے۔

جناب عالی:

اگر مدعی پارٹی پر اتنا تشدد ظلم ہوا ہے تو وہ تقریباً 03 ماہ کیوں خاموش رہے اور مختلف ویڈیو کلیپس وغیرہ میں پولیس کی تفتیش پر اطمینان کا اظہار کرتے رہے ریکارڈ ویڈیو ریکارڈ مختلف ویب سائٹس پر موجود ہیں یہ درخواست سراسر محکمانہ رنجش کی بنا پر ان کے قریبی ساتھی اسی دفتر کے ایک اہلکار نے مذکورہ کنسٹیبل کی انکواری کو غائب کرنے کے عوض بھاری رقم کی آفر کی جو میں انکاری ہوا جس بنا پر میرے خلاف غلط الزامات لگایا گیا۔

اس معاملہ میں ہیڈ کنسٹیبل گل افضل جو کہ مدعی مقدمہ کا بھتیجا ہے اور ضلع تورغر میں تعینات ہے، تمام درخواست بازی کروانا ہے انتہائی خطرناک ہے جس کے خلاف انواء، بھتہ خوری اور رہزنی کے مقدمات درج ہیں جن میں (۱) مقدمہ علت نمبر 46 مورخہ 10/01/2011 جرم 34/389/386/382/365/347 تھانہ میر پور (۲) علت نمبر 18 مورخہ 08/01/012 جرم 382/34 تھانہ حویلیاں (۳) مقدمہ علت نمبر 70 مورخہ 25/01/2009 جرم 387,401,402 PPC، تھانہ سٹی ایبٹ آباد درج ہیں جن کا مقصد ہی بلیک میلنگ ہے۔ یہ دونوں کنسٹیبلان اہم کردار ادا کر رہے ہیں جو کہ مدعی مقدمہ کے قریبی رشتہ دار ہیں استدعا ہیکہ میرے خلاف دی گئی چارج شیٹ داخل دفتر فرمائی جاوے۔ میرا یہ ہی بیان ہے۔ FIR لف ہیں۔

قیصر فاروق جو نیئر کلرک متعینہ جناب ضلعی پولیس سربراہ دفتر ضلع تورغر۔

Attest

Muhammad Iqbal Khan Jatoi
Advocate High Court
Room No 33 Adjacent

ORDER.

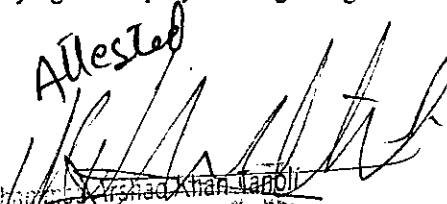
Annex - 1

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This order would dispose off proper departmental enquiry initiated against Qaiser Farooq, Junior Clerk, office of the undersigned under Khyber Pakhtunkhwa Govt: Servants (Efficiency and Disciplinary) Rules, 2011 for the allegations mentioned in preliminary enquiry report conducted by an Enquiry Committee headed by District Police Officer, Battagram, on application of Mr. Shahbaz Khan and Mr. Khan Afsar Khan, residents of village Kiala, Havelian, received vide letter No. 1653/PA dated 08.05.2019 of the Worthy Regional Police Officer, Hazara Region, Abbottabad, which revealed that the defaulter was posted as PA to District Police Officer Abbottabad, being Junior Clerk has made illegal interference in a high profile blind murder case of a female child namely Faryal d/o Haq Nawaz Khan in investigation vide case FIR No. 1207 dated 26.12.2018 w/s 302/376 PPC PS Havelian, District Abbottabad by taking advantage of trust made on him by the seniors and he used foul language with the complainant party by defiling and torturing them during the course of investigation for which he was held responsible for the allegations noted above by the above mentioned Enquiry Committee, vide this office Memo: No.548/PA dated 08.06.2019, he was served with charge sheet and statement of allegations and proper departmental enquiry was initiated by a Committee against above named alleged defaulter, Junior Clerk.

During the course of enquiry the complaint alongwith PWs and above named defaulter official were summoned to record their statements in presence of the defaulter official at Police Club Abbottabad at 11:00 hrs on 18 & 19 May 2019. But the defaulter official Qaiser Farooq, Junior Clerk did not attend the enquiry proceedings neither he put forward any plausible explanation in his support, nor attended his cell phone as he was contacted time and again during both the day fixed for enquiry at Police Club Abbottabad. He intentionally avoided to join the enquiry proceedings or to cross examine the PWs produced by the complainant Shahbaz Khan in support of his allegations regarding misbehavior, foul language and illegal interference in a high profile case vide FIR No.1207 Dated 26.12.2018 U/S 302/376 PPC PS Havelian District Abbottabad in which a female child aged about 02 years and 10 months was brutally murdered after sexual assault which created hipe at electronic and print media all over the country. Instead of facing enquiry proceedings he absented himself from his official duties with effect from 17.05.2019, besides he did not submit reply in response to the charge sheet which he received on 08.05.2019 till issuance of Final Show Cause Notice on 22.05.2019 to him after conducting of departmental enquiry by the Enquiry Committee.

On 23.05.2019 the undersigned had received an envelope through mail containing written statement of alleged defaulter official, Qaiser Farooq, Junior Clerk, having 14 enclosures, which were thoroughly Perused, in which he stated that during the course of investigation of above mentioned criminal case of murder / rape of a female child he alongwith other officials of District Police Officer's office Abbottabad, were sent to a camp at village Kehala for preparation of computerized list of those from whome blood samples for the purpose of DNA were taken which he did accordingly. He refused in his written statement to have tortured or abused any one during the course of said investigation as he was no concerned with the process of investigation. He alleged that he was approached by one Abdul Qadeer khan Constable No.1446, and offered him a huge amount for destroying an enquiry file regarding his alleged involvement in drug

Attested

Muzaffar Ahmad Khan Jallo
Advocate High Court
Office No 33 Adjacent to
District Court Abbottabad

seeing and other immoral activities at Police Station Daghara but he refused to do so. Due to which he got annoyed and became his opponent and started struggle to charge him in false complaints and he was stated to be a cousin of deceased child. He also alleged another police official namely Gul Afzal for connivance in sending application / complaint against him to the highups as previously he was involved in heinous crimes, like kidnapping, extortion and Robbery and both are playing vital role against him. His written statement alongwith 14 enclosures are attached with enquiry file. Similarly, his statement contained 03 copies of statements of Muneer Ahmed, Maqsood Hassain and gul Zaib khan in which they stated that they alongwith defaulter official, Qaiser Farooq, visited village Kehala to prepare computerized list for DNA in above mentioned case but no one was maltreated by any one in their presence.

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It is worth to mention here that neither defaulter official, Qaiser Farooq, Junior Clerk, himself appeared before the Enquiry Committee nor produced above mentioned DWs for recording their statements in his defense, rather he was stated to be absent to have gone to Islamabad for treatment from his house by his father who also refused the execution of summon upon defaulter official or receiving Final Show Cause Notice which was sent to his home through a special messenger of this district / local police of Police Station Sherwan as well as dispatched through registered AD.

The alleged defaulter official did not respond / replicate to a Final Show Cause Notice which was issued to him by the undersigned being competent authority on 22.05.2019 vide this office memo: No.589/PA. After expiry of stipulated period for replication in response to a Final Show Cause Notice the above named defaulter official was summoned vide this office letter No. 617/PA dated, 30-05-2019 & letter No.646/PA dated, 03-06-2019 through District Police Officer, Abbottabad / Concerned Police Station Sherwan but the father of defaulter official refused to receive the same to inform him to appear in person in OR before the undersigned on dates fixed twice but he failed to appear in person in OR. The defaulter official during absence with effect from 17.05.2019 sent medical certificates of bed rest to the undersigned which seems a pretext on one hand just to escape from departmental proceedings in order to save his skin legally. The Enquiry Committee also conducted detailed enquiry into the allegations and held the defaulter official responsible for all the allegations leveled against him in the charge sheet and summary of allegations and recommended him for major punishment.

Keeping in view the above, the allegations mentioned in the charge sheet and statement of allegations have been proved against defaulter official Qaiser Farooq, Junior Clerk of the office of the undersigned which are very serious in nature regarding illegal interference, using of foul language, maltreating the complaint party of such a high profile case despite he had no concern with investigation/interrogation making interference or to torture anyone during investigation of above mentioned case. Therefore, am constrained, under Khyber Pakhtunkhwa Govt: Servants (Efficiency and Disciplinary) Rules, 2011, the defaulter named above is hereby awarded major punishment of dismissal from service as ex-parte as he did not join the enquiry proceedings despite summoning time and again. His period of absence from 17.05.2019 till date is treated as leave without pay.

Order announced in absence of the defaulter official.

OB No. 198 / dated, 12/06/2019.

District Police Officer

Attested

Muhammad Kashad Khan Tanoli
Advocate High Court
Office No 33 Adjacent to
District Police Station Abbottabad

**BEFORE HONOURABLE REGIONAL POLICE OFFICER,
HAZARA REGION, ABBOTTABAD.**

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**DEPARTMENTAL APPEAL AGAINST ORDER OB NO. 198
DATED 12-06-2019 PASSED BY THE DISTRICT POLICE
OFFICER TORGHAR WHEREBY THE APPELLANT HAS BEEN
DISMISSED FROM SERVICE AND PERIOD FROM 17-05-2019
TO 12-06-2019 TREATED AS LEAVE WITHOUT PAY".**

**PRAYER: ON ACCEPTANCE OF INSTANT DEPARTMENTAL
APPEAL THE IMPUGNED ORDER DATED 12-06-2019 MAY
KINDLY BE SET ASIDE AND APPELLANT BE RE-INSTATED IN
SERVICE FROM THE DATE OF DISMISSAL AND THE PERIOD
FROM 17-05-2019 TO 12-06-2019 AS ON MEDICAL LEAVE
WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS.**

Respected Sir,

With most reverence and humble submission is stated:-

1. That a case FIR No.1207 dated 26-12-2018 U/S-302/376 PPC was registered at Police Station Havelian wherein a complaint against the police officials was submitted by Shahbaz Khan Etc to the Inspector General of Police KPK Peshawar. (Copy of the complaint is attached as "A").
2. That following the aforementioned complaint an inquiry committee was constituted to probe the matter which submitted its findings to the Regional Police Officer Hazara Region Abbottabad. (Copy of findings is attached "B").
3. That on the basis of above cited inquiry findings, the Regional Police Officer Hazara Region Abbottabad instructed the District Police Officer Abbottabad vide order No.1578/PA dated 03-05-2019 to proceed against the defaulter employees under the departmental disciplinary rules. (Copy of the order dated 03-05-2019 is attached as "C").
4. That acting upon the above mentioned instructions, the District Police Officer Abbottabad issued the appellant with a Charge Sheet alongwith statement allegations under No.94-97/PA dated 06-05-2019. (Copy of the Charge Sheet dated 06-05-2019 is attached as "D").
5. That vide his letter dated 08-05-2019 the Regional Police

Received

[Handwritten signature]
APA/RP
13/6/2019

Attested
[Handwritten signature]
M. Asst ed Khan
AdL

[Handwritten mark]

Officer Hazara Region Abbottabad directed the DPO Abbottabad to withdraw the charge sheet already issued to the appellant and instructed the DPO Torghar to initiate disciplinary proceeding against the appellant. **(Copy of the order dated 08-05-2019 is attached as "E")**.

6. That thereafter the District Police Officer Torghar issued the appellant with a Charge Sheet alongwith statement of allegations vide No.548/PA dated 08-05-2019 **(Copy of the Charge Sheet dated 08-05-2019 is attached as "F")**.
7. That a detailed reply to the aforementioned Charge Sheet explaining all facts and circumstances of the matter was submitted by appellant. **(Copy of reply is attached as "G")**.
8. That vide order OB No.198 dated 12-06-2019 the District Police Officer Torghar dismissed the appellant from service and the period from 17-05-2019 to 12-06-2019 was treated as leave without pay in serious violation of departmental rules & regulations and facts. **(Copy of order dated 12-06-2019 is attached as "H")**.
9. That no proper departmental inquiry was conducted by the District Police Officer Torghar. Inquiry findings, if any, were not issued to the appellant. No Final Show Cause Notice was served upon him. Even opportunity of personal hearing was not provided to him and he was condemned unheard thus principle of natural justice was seriously violated.
10. That appellant suffered from illness and remained confined to bed from 17-05-2019 to 13-06-2019. The appellant applied for grant of medical leave and submitted medical certificate to the District Police Officer Torghar for the above mentioned period. But despite that he was not granted medical leave and dismissed him from service vide order dated 12-06-2019. **(Copies of medical record are attached herewith)**.
11. That the allegations as leveled against the appellant in the Charge Sheet are incorrect, baseless and the result of miscommunication. The appellant has discharged his assigned duties with care, causation, devotion and honesty and committed no wrong. During the course of investigation of above mentioned criminal case of murder/rape of a female child the appellant along with other officials of the District Police Officer Abbottabad was sent to a camp at village Kehala for preparation of computerized list of those from whom blood samples for the purpose of DNA were taken which he did accordingly. Appellant never tortured or abused any one during the course of said investigation as he had no concern with the process of investigation. However, some opponents of the appellant have tried to get him involved falsely in the case.

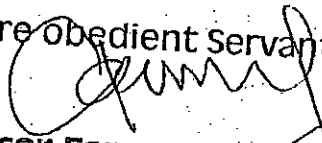
Attested

Muhammad Asad Khan Tanoli
Advocate High Court
Office No. 33 Adjacent to
Distt. Bar Abbottabad

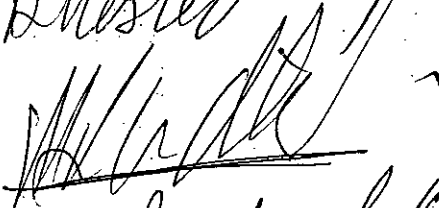
12. That throughout his long services in the police department the appellant always performed his assigned duties with devotion, dedication and honesty and even on occasions for his tremendous services were appreciated by his High-Ups.
13. That the appellant is innocent and there is nothing wrong on his part. In view of the facts narrated here above by no stretch of imagination the appellant can be held responsible for the allegations as leveled against him in the Charge Sheet which resulted into his dismissal from service without any reason and proof.
14. That if the appellant is afforded with the opportunity of personal hearing he will really prove his innocence by adducing credible facts of the matter.

Sir, in view of the facts and circumstances narrated here above, it is earnestly requested that impugned order dated 12-06-2019 passed by the District Police Officer Torghar may kindly be set aside and the appellant be reinstated in his service from the date of reduction with grant of all consequential service back benefits. Thanking you sir in anticipation.

You're obedient servant


(Qaisar Farooq)
S/O MAZIE Mulerand Umair.
EX-Junior Clerk
Police Department A/Attd
R/O Village:
District: Abbotttabad.
Cell No.0346-8111009

Dated: 13-06-2019

Attested

M Ashraf Khan, Comptroller
Ad.


From: The District Police Officer,
Torghar.

To: The District Police Officer,
Abbottabad.

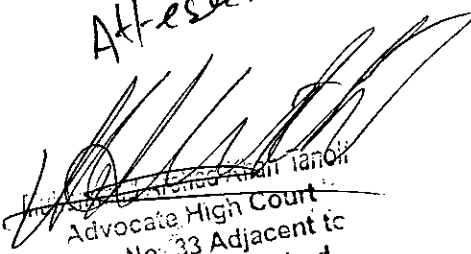
No. 810 P.A. dated Torghar the 10/07/2019.

Subject: SUMMONS

Memo: Kindly enclosed herewith 12xcopies of summons of persons noted therein are sent for execution through concerned SHOs of your district upon them. Copy of each Summons duly signed by the concerned PW/alleged defaulter official may kindly be returned back to this office as token of service please.


District Police Officer,
Torghar.

Attested


Advocate High Court
Office No. 33 Adjacent to
Dist. Tor Abbottabad

Annex - K^e

P-32

P-33

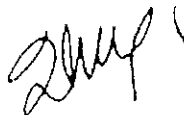
ضلع تورغر

پولیس ڈیپارٹمنٹ

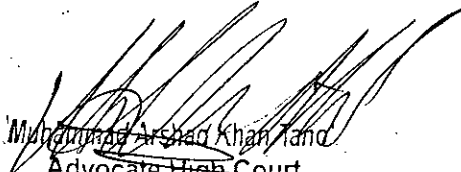
سمن برائے طلبی

قیصر فاروق سابقہ جوئمر کلرک ضلع تورغر حال بتیل شیروان ضلع ایبٹ آباد

بکار سرکار تحریر ہیکہ آپ کو بزریعہ سمن ہذا مطلع کیا جاتا ہے کہ مورخہ 15.07.2019 بروز پیر بوقت 10:00 بجے پولیس کلب ایبٹ آباد بسلسلہ انکوائری بحوالہ مقدمہ علت نمبر 1207 جرم 302/376 PPC تھانہ حویلیاں انکوائری کمیٹی کے روبرو حاضر ہو کر اپنا سٹیٹمنٹ ریکارڈ کروائیں۔


(ہیڈ انکوائری کمیٹی)
ڈسٹرکٹ پولیس آفیسر
تورغر

Attested


Muhammad Arshad Khan, Advocate
Advocate High Court
Office No. 33 Adjacent to
District Court, Turbat

MUHAMMAD ARSHAD KHAN TANOLI

Advocate High Court

Office No.33, New Lawyers Plaza,
Adjacent to District Bar Room, Abbottabad



Cell # 0346-9588583

Ref: 107/119

Dated: 15/7/2019

To,

Annex - L

District Police Officer
Torghar,

Subject: LEGAL NOTICE.

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1. That I have been instructed by my client namely Qaiser Farooq Ex-Junior Clerk, Thora Kalan, Sherwan District, Abbottabad, to issue you the following legal notice.

a) That my client is a thorough gentle man and belongs to a respectable family and has been dismissed from service by you vide OB No. 198, dated 12/06/2019. In this regard your letter No. 702/PA dated 13/06/2019 refers.

Attested

That my client has received a summon from you wherein you have directed my client to appear on 15/07/2019 in Police Club, Abbottabad, vide your summon No. 810/PA, dated 10/07/2019 addressed to District Police Officer, Abbottabad.

c) That my client has been dismissed from service due to no fault of his. The required codal formalities have not been fulfilled by you prior to his dismissal order. Therefore, dismissal order is illegal, against the law and not maintainable. Besides, your Senior Police

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Officer (Regional Police Officer - Hazara Region, Abbottabad), also dissented with the order of dismissal of my client issued by you vide letter No. 2291/PA dated 08/07/2019.

- d) That once, my client has been dismissed without lawful justification then, you can not issue summon to my client for any purpose.
- e) That no law exists wherein dismissed employee is summoned for conducting of inquiry against him until and unless he is reinstated in service.
- f) That without reinstating and set-aside dismissal order of my client you including other police authorities can not call/ summon my client for further inquiry.
- g) That my client is being harassed and embarrassing situation is being created by you which is contrary to the rules and norms of ethics.
- h) That my client reserved all the rights to initiate legal proceedings against you in the competent court of law.

You are therefore advised to withdraw summon against my client to appear in the police club on 15/07/2019 forthwith repeated 15/07/2019 till his re-instatement.

Attested

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No 33 Adjacent to
25th July Abbottabad

(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

Date 15/7/19

CHARGE SHEET

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Annex - M

1. I, Mr, Hafiz Janis Khan, District Police Officer, Torghar as competent authority is hereby charge you Qaiser Farooq, the then PA to DPO, Abbottabad, presently serving in District Torghar in the office of the undersigned as Junior Clerk for the allegations explained in the attached statement of allegations.
2. You appear to be guilty of misconduct under Khyber Pakhtunkhwa, ~~Govt Servants (Efficiency & Disciplinary) Rule 2011~~ ^{Govt Servants} ~~Police Rules, 1975~~ and have rendered yourself liable to all or any of the penalties specified in Khyber Pakhtunkhwa, ~~Police Rules - (Efficiency & Disciplinary) Rules 2011.~~ ^{Govt Servants} ~~1975 (with amendment-2014).~~
3. You are therefore directed to submit your written reply within Seven days on receipt of the charge sheet to the enquiry committee.
4. Your written defense, if any, should reach the enquiry committee within the specified period, failing which it shall be presumed that you have no defense to put forward and ex-parte action shall be taken against you.
5. Intimate whether you desire to be heard in person or otherwise.
6. Summary of allegation is also enclosed.

Attached
Muhammad Arshad Khan, Jabor
Advocate High Court
Office No. 33 Adjacent to
Distt. Bar Abbottabad

[Handwritten Signature]

District Police Officer,
Torghar

یارغ میں کورسٹ کو درپور
جو پیش کرتے ہیں قیصر فاروق پر تفسیر ہوگی
08/05/19

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DISCIPLINARY ACTION

I, Mr. Hafiz Janis Khan, District Police Officer, Torghar as competent authority of the opinion that you Qaiser Farooq the then PA to District Police Officer, Abbottabad presently serving in District Torghar in the office of the undersigned as Junior Clerk has rendered yourself liable to be proceeded against departmentally as you committed the following act of commission within the meaning of the Khyber Pakhtunkhwa, ^{Govt. Servants} Police-Rules, 1975 ^(Efficiency & Disciplinary) Rules 2011, 2 (with amendment-2014).

STATEMENT OF ALLEGATION

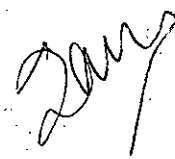
Perusal of preliminary enquiry, conducted by an enquiry committee headed by District Police Officer, Battagram, on application of Mr. Shahbaz Khan and Mr, Khan Afsar Khan, residents of village Kiala, Havelian, received vide letter No. 1653/PA dated 08.05.2019 of the Worthy Regional Police Officer, Hazara Region, Abbottabad, revealed that you while posted as PA to District Police Officer Abbottabad, being Junior Clerk has made illegal interference in a high profile blind murder case of a female child namely Faryal d/o Haq Nawaz Khan in investigation vide case FIR No. 1207 dated 26.12.2018 u/s 302/376 PPC PS Havelian, District Abbottabad by taking advantage of trust made on you by your seniors, used foul language with the complainant party by defiling and torturing them during the course of investigation for which you have been held responsible for the allegations noted above by the above mentioned enquiry committee, which shows gross misconduct on your part.

For the purpose of scrutinizing the conduct with reference to the above allegations an enquiry committee comprising of the undersigned and Mr, Gul Zar Khan DSP/Hq is constituted to probe into the allegations and submit enquiry report within stipulated period.

The enquiry committee shall in accordance with the provisions of Khyber Pakhtunkhwa, ^{Govt Servants (Efficiency & Disciplinary) Rules 2011, 2} Police-Rules-1975 provide reasonable opportunity of hearing to the defaulter official, record finding within 25 days of the receipt of this order, and make recommendations as to award punishment or otherwise to the defaulter official.

You Qaiser Farooq, the then PA to DPO, Abbottabad, presently serving in District Torghar in the office of the undersigned as Junior Clerk is required to submit your written statement within 07 days to the enquiry committee on receipt of the charge sheet/statement of allegations. The defaulter official shall make his appearance during proceedings on the date, time and place fixed by the enquiry Committee.

Attested
Muhammad Iqbal Khan Tanoli
Advocate High Court
Office No. 33 Adjacent to
District Police Office Abbottabad


District Police Officer,
Torghar

1. Mr. Hafiz Janis Khan, District Police Officer, Torghar as competent authority is hereby charge you Qaiser Farooq, the then PA to DPO, Abbottabad, presently serving in District Torghar in the office of the undersigned as Junior Clerk for the allegations explained in the attached statement of allegations.

2. You appear to be guilty of misconduct under Khyber Pakhtunkhwa Police Rules, 1975 and have rendered yourself liable to all or any of the penalties specified in Khyber Pakhtunkhwa Police Rules 1975 (with amendment-2014).

3. You are therefore directed to submit your written reply within Seven days on receipt of the charge sheet to the enquiry committee.

4. Your written defense, if any, should reach the enquiry committee within the specified period, failing which it shall be presumed that you have no defense to put forward and ex-parte action shall be taken against you.

5. Intimate whether you desire to be heard in person or otherwise.

6. Summary of allegation is also enclosed.

[Signature]
District Police Officer
Torghar

صیغہ جاری شد۔ حوالہ دیا گیا منسلک
Statement of allegation
کاپی وصول
9/05/19
08/05/19

Accepted
Advocate High Court
Office No. 35 Adjacent to

DISCIPLINARY ACTION

Mr. Hafiz Janis Khan District Police Officer, Torghar as competent authority of the opinion that you Quiser Farooq the then PA to District Police Officer, Abbottabad presently serving in District Torghar in the office of the undersigned as Junior Clerk has rendered yourself liable to be proceeded against departmentally as you committed the following act of commission within the meaning of the Khyber Pakhtunkhwa Police Rules, 1975 (with amendment-2014)

STATEMENT OF ALLEGATION

Perusal of preliminary enquiry, conducted by an enquiry committee headed by District Police Officer, Battagram, on application of Mr. Shahbaz Khan and Mr. Khan Afsar Khan, residents of village Kiata, Havelian, received vide letter No. 1653/PA dated 08.05.2019 of the Worthy Regional Police Officer, Hazara Region, Abbottabad, revealed that you while posted as PA to District Police Officer Abbottabad, being Junior Clerk has made illegal interference in a high profile blind murder case of a female child namely Faryal Uo-Haq Nawaz Khan in investigation vide case FIR No. 1207 dated 26.12.2018 u/s 302/376 PPC PS Havelian, District Abbottabad by taking advantage of trust made on you by your seniors, used foul language with the complainant party by defiling and torturing them during the course of investigation for which you have been held responsible for the allegations noted above by the above mentioned enquiry committee, which shows gross misconduct on your part.

For the purpose of scrutinizing the conduct with reference to the above allegations an enquiry committee comprising of the undersigned and Mr. Gul Zar Khan DSI/WH is constituted to probe into the allegations and submit enquiry report within stipulated period.

The enquiry committee shall in accordance with the provisions of Khyber Pakhtunkhwa Police Rules - 1975 provide reasonable opportunity of hearing to the defaulter and record finding within 25 days of the receipt of this order, and make recommendations as to the punishment or otherwise to the defaulter official.

You Quiser Farooq, the then PA to DPO, Abbottabad, presently serving in District Torghar in the office of the undersigned as Junior Clerk is required to submit your written statement within 07 days to the enquiry committee on receipt of the charge sheet statement of allegations. The defaulter official shall make his appearance during proceedings on the date, time and place fixed by the enquiry Committee.

[Signature]
District Police Officer,
Torghar

No. 548 PA dated Torghar the 08 10 2019.

Attested
Muhammad Arshad Khan
Advocate High Court
Office No. 33 Adjacent to
District Abbottabad
Attested

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کورٹ فیس

وکالت نامہ

Peshawar High Court At Bench

عنوان: Daiser Farooq I. C. P. etc

منجانب: Appellant

نوعیت مقدمہ: Service Appeal

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے اس سے پیروی و جواب دہی کل کاروائی متعلقہ آس مقام

Adv. M. Arshad Khanani Tanoli Adv Hc AFN

Advocate High Court
کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو اس کی کاروائی کا اہتمام اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پر داختم مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد استجارت ناش بصیغہ مفلسی کے دائرہ کرنے اور اس کے پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سندر ہے۔

المرقوم: 3
2075

بمقام: Arshad Khanani

Accepted

Arshad Khanani
Advocate High Court
Office No: 33, Adjacent to
Distt For Abbottabad